



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL


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January 8, 2004

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TO: SUPERVISOR DON KNABE, Chairman  
SUPERVISOR GLORIA MOLINA  
SUPERVISOR YVONNE BRATHWAITE BURKE  
SUPERVISOR ZEV YAROSLAVSKY  
SUPERVISOR MICHAEL D. ANTONOVICH

FROM: LLOYD W. PELLMAN   
County Counsel

RE: **Mobile Infrared Transmitters for Emergency Vehicles  
Board Meeting 11/12/03; Agenda No. 56-C**

At your meeting of November 12, 2003, on a motion by Supervisor Antonovich, the Board agreed to seek and/or support legislation that prohibits private ownership and/or restricts the sale of Mobile Infrared Transmitters for Emergency Vehicles (MIRT). The Board also directed our office to work with the Sheriff, the Fire Chief and the Director of the Department of Public Works to determine the feasibility of adopting a local ordinance that would restrict the sale and prohibit private ownership of MIRT.

State law currently prohibits the sale, installation or use of such transmitters by private individuals and preempts local governments from enacting ordinances in regard to these issues.

California Vehicle Code section 21464(b) states, "No person shall use, and no vehicle other than an authorized emergency vehicle, shall be equipped with, any device capable of sending a signal that interrupts or changes the sequence patters of an official traffic control signal unless that device or use is authorized by the Department of Transportation pursuant to section 21350 or by local authorities pursuant to section 21351."

California Vehicle Code section 24005 states that it is unlawful for any person to sell, offer for sale, lease, install, or replace any kind of equipment whatsoever for use in any vehicle, that is not in conformity with the Vehicle Code or regulations thereunder.

In addition, Section 21 of the Vehicle Code prohibits local authorities from enacting any ordinance on the matters covered by the Vehicle Code unless expressly authorized by the Code. Because the State has already prohibited the sale, installation or use of MIRTs, the County may not regulate these areas.

On the federal level, on November 5, 2003, Senator DeWine of Ohio introduced S. 1825, the "Safe Intersections Act of 2003," which would prohibit the unauthorized sale or possession of MIRTs anywhere in the United States.

It should be noted that currently, County emergency vehicles do not use MIRTs or other forms of emergency vehicle traffic signal preemption. Traffic signals in unincorporated areas and in cities that contract with the Sheriff's Department for law enforcement services are not equipped for use of signal preemption devices. The issue of purchasing and use of traffic signal preemption devices for County emergency vehicles is addressed by memorandum to your Board dated December 15, 1999, from Harry W. Stone, then Director of Public Works. A copy of Mr. Stone's memorandum is enclosed for your convenience.

If you have any questions, please contact Gary Gross, Senior Deputy County Counsel, at (323) 526-5045.

LWP:LL:gg

Enclosure

c: Leroy D. Baca  
Sheriff

David E. Janssen  
Chief Administrative Officer

Violet Varona-Lukens, Executive Officer  
Board of Supervisors

P. Michael Freeman  
Fire Chief

James A. Noyes  
Director of Public Works



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
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HARRY W. STONE, Director

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P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

December 15, 1999

IN REPLY PLEASE  
REFER TO FILE:

T-1  
A1639

TO: Each Supervisor

FROM: Harry W. Stone  
Director of Public Works

Fire Chief P. Michael Freeman

Undersheriff Paul Myron

### EMERGENCY VEHICLE TRAFFIC SIGNAL PREEMPTION

As a follow-up to our November 25, 1998, report on Emergency Vehicle Traffic Signal Preemption (copy attached), following is an updated report from our three Departments.

In order for the County to gain some first-hand experience with some of these technologies, we propose a limited pilot program be implemented in an unincorporated area. Public Works, Fire, and Sheriff's Departments will be working out the details of the pilot program in the next month, and we will report on the specifics at that time. Currently, there are no funds available from any of our Departments' budgets to implement a Countywide installation or a pilot program for an emergency vehicle traffic signal preemption system. The only potentially viable funding sources, other than County General Funds, to finance these improvements appear to be from State and Federal safety grant funds or through the Metropolitan Transportation Authority Call for Projects which are limited. Since there are currently no available funds for the pilot program, we will seek out vendors who may be willing to provide a free demonstration service and seek grant funds when available, as well as continue to try to identify additional sources of funding.

Attached is a staff report on additional findings regarding emergency vehicle traffic signal preemption since our last report.

MAA:rg

Attach.

cc: Chief Administrative Office  
Executive Office

*file copy*

## EMERGENCY VEHICLE TRAFFIC SIGNAL PREEMPTION

During this time period, we monitored the City of Los Angeles' pilot program, gathered additional data from the cities that currently used preemption devices, investigated potential funding sources, and further discussed among our Departments the feasibility of emergency vehicle preemption systems. Also, both our Fire and Sheriff's Departments have reexamined and reinforced their rigorous training programs to maximize traffic safety in their responses to emergencies.

The City of Los Angeles' pilot program to develop and evaluate the effectiveness, reliability, maintenance, operation, cost, and benefits of a new preemption system technology has been delayed. Initially, the program was to be done in conjunction with a bus priority system but has been separated into two programs. Upon completion of the bus priority program, the City will continue with its pilot program for an emergency vehicle preemption system. This pilot program has been scheduled for completion in the Year 2000.

The majority of cities currently using emergency vehicle traffic signal preemption have implemented optical-based systems. Nineteen cities in the County currently use such systems. The City of Lancaster has the only sound-based system currently being used in the County of Los Angeles. All these systems being used were installed to improve response times and to decrease emergency vehicle accidents at signalized intersections. The cities with the optical-based systems were primarily installed for use by the fire departments. In these cases, the fire departments requested the preemption equipment and specified the locations where the devices should be installed. The City of Lancaster chose to use the sound-based system due to the low cost and because all emergency vehicles (fire, sheriff, ambulance, and military) could benefit from the devices' installation. However, our Fire Department advises the current sound-based system is not workable for the majority of its current fleet because it does not respond to its siren equipment. The source of funds used to install these devices were from the City's General Funds.

Our Departments concur emergency vehicle preemption systems provide some benefit in improving response time for emergency vehicles, reducing potential emergency vehicle accidents at signalized intersections, and reducing potential County liability. However, they have a high cost for installation (up to \$26 million for the unincorporated areas) and maintenance, might potentially give a false sense of security to emergency vehicle drivers, and do not guarantee a green light due to required pedestrian clearance. Also, there is lack of consensus on a single type of preemption system among local jurisdictions, potential for abuse of preemption systems by authorized and nonauthorized vehicles, and a failure of devices could result in reduced rather than increased safety. A key drawback to adoption of any emergency vehicle preemption device for the unincorporated areas is that, unlike a city's emergency vehicles which respond within the city limits, County Fire and Sheriff's units must routinely cross through cities to respond to

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incidents in unincorporated areas. Therefore, unless the cities also adopt emergency vehicle preemption, and it is of the same technology as the unincorporated area, the emergency vehicle preemption is of a limited value and can lead to confusion for the responding unit.

MAA:rg

T-1/A1639

12/13/99